IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 22021 of 2007(V)

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PETITIONER:

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MOHAMMED SHEREEF, ALIKKAL HOUSE,
MELE PATTAMBI, PALAKKAD.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

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1. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, OTTAPALAM.

2. THE REVENUE SECRETARY,
REVENUE DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

BY GOVOERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**S. SIRI JAGAN, J.**

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**W.P.(C)NO.22021 OF 2007**

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**DATED THIS THE 18th DAY OF JULY, 2007**

**JUDGMENT**

The petitioner challenges proceedings under the Revenue Recovery Act for recovery of motor vehicle's tax due on the vehicle belonging to the petitioner. The petitioner's contention is the before initiating proceedings, no demand has been served on the petitioner under the Act. However, the petitioner confines his prayer for permission to pay off the amounts in instalments.

2. I have heard the learned Government pleader also. In the facts and circumstances of the case, I direct the respondents to permit the petitioner to pay off the amount covered by Exts.P1 and P2 in ten equal monthly instalments starting from 1.8.2007. Every subsequent instalment shall be paid on the first working day of every succeeding month. If the petitioner pays the instalments in time as directed above, further proceedings pursuant to Exts.P1 and P2 shall be kept in abeyance. However, if the petitioner commits default in payment of any one of the instalments, the 1st respondent can continue proceedings as per Exts.P1 and P2 without having to issue any notice

or proceedings in that regard.

The writ petition is disposed of as above.

**S. SIRI JAGAN, JUDGE**

Acd